

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**IN RE: TERRORIST ATTACKS ON :  
SEPTEMBER 11, 2001 : 03-MDL-1570 (GBD)(SN)**

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This Document Relates To:

*Ashton, et al. v. al Qaeda Islamic Army, et al.*, Case No. 02-cv-6977 (GBD)(SN)

*Bauer, et al. v. al Qaeda Islamic Army, et al.*, Case No. 1:02-cv-07236 (GBD)(SN)

*Ryan, et al. v. Islamic Republic of Iran, et al.*, Case No. 1:20-cv-00266 (GBD)(SN)

**THE RYAN AND MAHER PLAINTIFFS' MOTION FOR ENTRY OF FINAL  
DEFAULT JUDGMENT AGAINST THE TALIBAN AND MUHAMMAD OMAR**  
[substitute motion for MDL Doc. No. 7643]

Plaintiffs Patricia Ryan as Personal Representative of the Estate of John J. Ryan, Deceased, Katherine Maher as Personal Representative of the Estate of Daniel L. Maher, Deceased, Patricia Ryan (individually in her own right), Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher (individually in her own right), Daniel R. Maher, and Joseph F. Maher (“collectively, the “Ryan and Maher Plaintiffs”), by and through counsel, hereby file this Motion For Entry of Default Judgment Against The Taliban and Muhammad Omar, seeking a Final Default Judgment against the Taliban and Muhammad Omar with awards for economic damages, non-economic damages for conscious pain-and-suffering, and/or solatium damages, and pre-judgment interest, in favor of said Plaintiffs, all in amounts previously established, found, and entered in this case against other defendants in this action, and as reflected on Exhibits A and B filed herewith.

This Motion is intended to supplant and substitute for the motion papers filed at MDL Doc. No.7643, which the Ryan and Maher Plaintiffs withdraw.

Specifically, Plaintiffs Patricia Ryan as Personal Representative of the Estate of John J. Ryan, Deceased, Katherine Maher as Personal Representative of the Estate of Daniel L. Maher,

Deceased, move for entry of final judgment against the Taliban and Muhammad Omar in the amounts previously established and found as conscious pain-and-suffering damages of \$2,000,000, at MDL Doc. Nos. 3226 (March 8, 2016) and 3229 (March 9, 2016), as economic damages to the Estate of John J. Ryan in the amount of \$21,160,744, and as economic damages to the Estate of Daniel L. Maher in the amount of \$7,662,835, both at MDL Doc. No. 5999 (February 21, 2020).

Plaintiffs Patricia Ryan (individually in her own right), Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher (individually in her own right), Daniel R. Maher, and Joseph F. Maher, move for Final Default Judgment against the Taliban and former leader of the Taliban, Muhammad Omar, in the amounts previously established and found as solatium damages of \$12,500,000 for Patricia Ryan as a spouse of a 9/11 Decedent; \$8,500,000 each for Kristen Ryan, Laura Ryan, and Colin Ryan each as a then-minor dependent child of a 9/11 Decedent; \$12,500,000 for Katherine Maher as a spouse of a 9/11 Decedent; \$8,500,000 each for Daniel R. Maher and Joseph F. Maher, each as a then-minor dependent child of a 9/11 Decedent. *See* MDL Doc. No. 3387 (October 31, 2016).

All of the Ryan and Maher Plaintiffs further move that such damages be trebled under the Anti-Terrorism Act, 18 U.S.C. §2333(a).

The Ryan and Maher Plaintiffs also seek an award of pre-judgment interest at the rate of 4.96 percent, compounded annually, from the period from September 11, 2001, until the date of the judgment for damages.

The Ryan and Maher Plaintiffs further seek permission to file a future request for an award of punitive damages and other appropriate damages. This Court has previously entered judgment for punitive damages to Plaintiffs Patricia Ryan as Personal Representative of the

Estate of John J. Ryan, Deceased, and Katherine Maher as Personal Representative of the Estate of Daniel L. Maher, Deceased, as to the conscious pain-and-suffering component, only, of the two Estates' judgments against another defendant. MDL Doc. No. 3226 (March 9, 2016, entry no. 838 for John J. Ryan and no. 809 for Daniel L. Maher).

The Ryan and Maher Plaintiffs so move on the grounds that the Complaint and/or Amended Complaints in this action, as well as matters such as service, defaults, and damages findings, were filed, entered, or occurred in favor of the Ryan and Maher Plaintiffs at times when they were represented by the *Bauer* plaintiffs' counsel who filed the papers, including exhibits thereto, at MDL Doc. Nos. 3371, 7489-7491, and 7516 through 7518, except that the damages findings for Plaintiffs Patricia Ryan, Personal Representative of the Estate of John J. Ryan, Deceased, and Katherine Maher, Personal Representative of the Estate of Daniel L. Maher, Deceased, were based on filings by the undersigned counsel in the case styled *Ryan, et al. v. Islamic Republic of Iran, et al.*, at MDL Doc. Nos. 5908, 5911, and 5913, and were found and entered on February 21, 2020, MDL Doc. No. 5999.

In support of this motion, the Ryan and Maher Plaintiffs adopt and incorporate the motions, memoranda, declarations, and exhibits filed by the *Bauer* plaintiffs at MDL Doc. Nos. MDL Doc. Nos. 7516-7518 in support of such other *Bauer* plaintiffs' Motions for Default Judgment against the Taliban and former leader of the Taliban, Muhammad Omar. The Ryan and Maher Plaintiffs were formerly represented by other counsel in *Bauer*. The Ryan and Maher Plaintiffs are now represented by the undersigned counsel, who entered as substitute counsel on September 20, 2019, by Order of this Court on November 16, 2019. MDL Doc. Nos. 5164 and 5312.

The facts, and the actions taken by said Plaintiffs' prior counsel, as detailed in the motion, memoranda, supporting declarations, and exhibits at MDL Doc. Nos. 7516-7518, support the entry of Default Judgments in favor of Plaintiffs Patricia Ryan, Personal Representative of the Estate of John J. Ryan, Deceased, Patricia Ryan, Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher, Personal Representative of the Estate of Daniel L. Maher, Deceased, Katherine Maher, Daniel R. Maher, and Joseph F. Maher against the Taliban and Muhammad Omar exactly as they do the other *Bauer* plaintiffs subject to those motion and supporting papers.

A Declaration by undersigned counsel is being filed separately.

The Plaintiffs for whom such default judgments are requested herein are listed in Exhibit A and Exhibit B hereto, together with the conscious pain-and-suffering damages, economic damages, and/or solatium damages, as well as trebled damages sought herein.

## **CONCLUSION**

For the foregoing reasons, Plaintiffs Patricia Ryan as Personal Representative of the Estate of John J. Ryan, Deceased, Katherine Maher as Personal Representative of the Estate of Daniel L. Maher, Deceased, Patricia Ryan (individually in her own right), Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher (individually in her own right), Daniel R. Maher, and Joseph F. Maher request that this Court grant Plaintiffs' Motion for Entry Of Final Judgment Against Defendants The Taliban And Muhammad Omar in the amounts set forth on Exhibits A and B.

Date: March 16, 2022

Respectfully Submitted,

/s/ Dennis G. Pantazis

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